

DELEGATED REPORT

Report by Jane Langan	Date of report: 01/12/2023	Ref: 70173/FUL
Registration: 16/10/2023	LDfC: 20/11/2023	Expiry Date: 11/12/2023
Site Visit: 09/11/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension

Location: 8 The Fairways, Whitefield, Manchester, M45 7BN

Description

The property is a two storey detached house located within a cul de sac. It has been extended two storey at the side and single storey at the rear. There is a small garden and parking to the front. To the rear is a raised patio and a boundary wall extends to the west side and along the rear. To the east side is garden and the raised patio continues along. Along the east side boundary is a brick wall with timber infills that borders the top of the cul de sac. The neighbouring property to the side is No.6. It sits with its rear elevation set back from the site and is extended with a conservatory. Along the side boundary with the site it has timber panel fencing and planting. The rear site boundary borders the rear gardens to 5 Stanley Drive and Stanley Lodge which are at a higher level.

The application proposes a single storey extension at the rear. It would project 6.8m from the rear of the existing single storey and run up to the rear boundary wall then extend 5.9m across. It would form an extended kitchen and dining room.

Relevant Planning History

45260 - Two storey side extension & garage extension at side - AC 01/11/2005
62302 - Two storey side extension and single storey rear extension - AC 08/02/2018
63666 - Two storey side extension and single storey rear extension - AC 21/02/2019

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

H2/4 Conversions
SPD6 Supplementary Planning Document 6: Alterations & Extensions

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations, including relevant policies in the emerging Places for Everyone Joint Development Plan.

The policies of the UDP that have been used to assess this application are considered to

be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Visual amenity and design - Located to the rear the proposed extension would not be readily visible from the main street view. It would have a flat roof with lantern roof light. Doors would be located to the east side into the garden with a low patio providing level access out. Walls would be finished in brick to match the existing.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. Parking to the front drive would not be affected.

Residential amenity - The proposed extension would run along the side to No.6. This property as existing has its original rear elevation set back from the site and is extended with a conservatory. Even with the conservatory it still sits set back from the site as

DELEGATED REPORT

extended. The site has a rendered wall along the shared boundary which is approximately 2.8m from ground level and around 2.1m from the site patio level. The neighbouring No.6 has a 1.7m high timber fence and taller planting. The proposed extension would run from the existing extension for the full length of the boundary to No.6 and be to a height of 3.5m. It would be set in from the boundary by approximately 0.9m. Between the existing site single storey and the 2.8m boundary high wall there is a small gap of approximately one fence panel that would now be brick wall as viewed from No.6. Given the existing amount of development along the boundary, in terms of the rendered wall, and also the proposed extension located to the east side then it is not considered that the proposal would cause any significant loss of light to the garden to No.6 than the existing situation or for any significant part of the day.

The properties directly to the rear of the proposed extension are at a higher level and there is an outbuilding and some planting along the boundary. The proposed extension would run up to the existing site boundary projecting only approximately 0.8m above the existing wall.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered Rev A SHT 001, Rev A SHT 002 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	01/12/23	DM 01/12/23	